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TPW

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/029,800
		Filing Date	December 31, 2001
		First Named Inventor	Smith et al.
		Art Unit	2643
		Examiner Name	NA
Total Number of Pages in This Submission	7	Attorney Docket Number	20009.0020US01 (BS00-142)

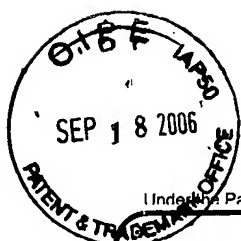
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard PTO SB08 Form (3 pages) Copies of 4 non-patent documents (three books and EP 0712227) Check in the amount of \$180.00
Remarks  The PTO did <del>not</del> receive the following listed item(s) <u>Broken CD</u>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	WITHERS & KEYS, LLC		
Signature			
Printed name	James D. Withers		
Date	September 14, 2006	Reg. No.	40,376

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	James D. Withers	Date	September 14, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006, OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$180.00)**Complete if Known**

Application Number	10/029,800
Filing Date	December 31, 2001
First Named Inventor	Smith et al.
Examiner Name	NA
Art Unit	2643
Attorney Docket No.	20009.0020US01 (BS99-202)

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 20 or HP = _____	x _____	= _____				
HP = highest number of total claims paid for, if greater than 20						
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
_____ - 3 or HP = _____	x _____	= _____				
HP = highest number of independent claims paid for, if greater than 3						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: IDS filing fee

**Fees Paid (\$)****\$180.00****SUBMITTED BY**

Signature		Registration No. 40,376 (Attorney/Agent)	Telephone 678-565-4748
Name (Print/Type)	James D. Withers		Date September 14, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



N 10/029,800

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Smith et al. Examiner: Not yet assigned  
Serial No.: 10/029,800 Group Art Unit: 2643  
Filed: December 31, 2001 Docket No.: 20009.0020US01 (BS00-142)  
Title: System and Method for Documenting Delays Associated with a Project

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 14, 2006.

By: 

Name: James D. Withers

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c)(2))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed SB08 form are brought to the attention of the Examiner.

This statement should be considered because it is submitted after first office action on the merits but before an action closing prosecution. This information disclosure statement is being submitted with the appropriate fee due.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each foreign patent document and non-patent literature listed on the enclosed SB08 form is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.


09/19/2006 HBLANCO 00000026 10029800  
Applicant  
100.00 op

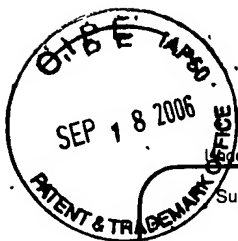
Application Number: 10/029,800  
Attorney Docket Number: 20009.0020US01

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached SB08 form, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 503025.

WITHERS & KEYS, LLC  
P.O. Box 2049  
McDonough, GA 30253  
678-565-4748

By   
Name: James D. Withers  
Reg. No.: 40,376  
Initials: JDW



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

**Complete if Known**

Application Number	10/029,800
Filing Date	December 31, 2001
First Named Inventor	Smith et al.
Art Unit	2643
Examiner Name	NA
Attorney Docket Number	20009.0020US01 (BS00-142)

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 5,359,649	10/1994	Rosu et al.	
	2	US- 5,521,958	05/1996	Selig et al.	
	3	US- 5,570,283	10/1996	Shoolery et al.	
	4	US- 5,687,212	11/1997	Kinser, Jr. et al.	
	5	US- 5,857,201	01/1999	Wright et al.	
	6	US- 5,896,440	04/1999	Reed et al.	
	7	US- 5,931,917	08/1999	Nguyen et al.	
	8	US- 6,026,379	02/2000	Haller et al.	
	9	US- 6,233,541	05/2001	Butts et al.	
	10	US- 6,366,829	04/2002	Wallace et al.	
	11	US- 6,324,522	11/2001	Petersen et al.	
	12	US- 6,311,178	10/2001	Bi	
	13	US- 6,023,683	02/2000	Johnson et al.	
	14	US- 6,058,373	05/2000	Blinn	
	15	US- 6,081,789	06/2000	Purcell et al	
	16	US- 6,341,271	01/2002	Salvo et al.	
	17	US- 5,970,472	10/1999	Allsop	
	18	US- 5,960,411	09/1999	Hartman et al.	
	19	US- 5,909,492	06/1999	Payne	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	20	EP 0 712 227	05/1996			

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 3**Complete if Known**

Application Number	10/029,800
Filing Date	December 31, 2001
First Named Inventor	Smith et al.
Art Unit	2643
Examiner Name	NA
Attorney Docket Number	20009.0020US01 (BS00-142)

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	21	US- 5,664,110	09/1997	Green et al.	
	22	US- 6,389,337	05/2002	Kolls et al.	
	23	US- 5,923,735	07/1999	Swartz et al.	
	24	US- 5,038,283	08/1991	Cavenay	
	25	US- 2002/0099642	07/2002	Schwankl	
	26	US- 2001/0016819	08/2001	Kolls	
	27	US- 6,101,472	08/2000	Giangarra et al.	
	28	US- 4,905,163	02/1990	Garber et al.	
	29	US- 5,694,323	12/1997	Koropitser et al.	
	30	US- 5,974,135	10/1999	Breneman et al.	
	31	US- 2003/0023601	01/2003	Fortier et al.	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/029,800
		Filing Date	December 31, 2001
		First Named Inventor	Smith et al.
		Art Unit	2643
		Examiner Name	NA
Sheet 3	of 3	Attorney Docket Number	20009.0020US01 (BS00-142)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	32	Derfler, Frank J et al, "How Networks Work", Millennium ed., Que Corp. 1/2000	
	33	White, Ron, "How Computers Work", Millennium ed., Que Corp. 09/1999	
	34	Gralla, Preston, "How the Internet Works", Millennium ed., Que Corp., 08/1999	

Examiner Signature		Date Considered	
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